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| FORM PTO-1390<br>MODIFIED   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEY'S DOCKET NUMBER<br><b>47-217</b>  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |   | U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)<br><b>10/517653</b><br>Unassigned |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/AU03/00735</b>  | INTERNATIONAL FILING DATE<br><b>13 June 2003</b>        | PRIORITY DATE CLAIMED<br><b>13 June 2002</b>   |
| TITLE OF INVENTION<br><b>METALLOTHIONEIN BASED NEURONAL THERAPEUTIC AND THERAPEUTIC METHODS</b>   |   |  |
| APPLICANT(S) FOR DO/EO/US<br><b>WEST et al</b>  |   |  |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The U.S. has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li>a. <input checked="" type="checkbox"/> is attached hereto (14 pages specification, 27 claims &amp; 1 page abstract, 20 sheets drawings).</li> <li>b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> of the International Application as filed (35 U.S.C. 371(c)(2)) is attached hereto (        pages specification, claims &amp; abstract (        claims),        sheets drawings,        page Certificate of Translation).</li> <li>b. <input type="checkbox"/> of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. § 371(c)(5)).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (        page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</li> </ol> </li> <li>10. See item 6.b. above.<br/><b>Items 11 To 20 below concern document(s) or information included:</b></li> <li>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</li> <li>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information. New pages 4a and 10-10j; Figs. 1-12 (15 sheets) replaced with Figs. 1-17 (20 sheets)</li> </ol> |   |  |

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| U.S. APPLICATION NO. <b>11/517653</b><br><small>Unassigned</small> |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/AU03/00735</b> |  | ATTORNEY'S DOCKET NUMBER<br><b>47-217</b> |  |
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|   |               |              |            |            |                                  |  |
|---|---------------|--------------|------------|------------|----------------------------------|--|
| 21. <input checked="" type="checkbox"/> The following fees are submitted:   |               |              |            |            | <b>CALCULATIONS</b> PTO USE ONLY |  |
| <b>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</b><br>-- Neither international preliminary examination fee (37 C.F.R. 1.482) nor international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1110.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .....\$950.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) not paid to USPTO but international search fee (37 C.F.R. 1.445(a)(2)) paid to USPTO.....\$790.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .....\$750.00<br>-- International preliminary examination fee (37 C.F.R. 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .....\$100.00<br><br><div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> |               |              |            |            | \$ 1,110.00                      |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input checked="" type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).   |               |              |            |            | \$ 130.00                        |  |
| CLAIMS  | NUMBER FILED  | NUMBER EXTRA | RATE       |            |                                  |  |
| Total Claims  | 27 minus 20 = | 7            | X \$50.00  | \$ 350.00  |                                  |  |
| Independent Claims  | 2 minus 3 =   | 0            | X \$200.00 | \$ 0.00    |                                  |  |
| MULTIPLE DEPENDENT CLAIMS(S) (if applicable)  |               |              |            | \$360.00   |                                  |  |
| Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$120.00/1 month; \$450.00/2 months; \$1020.00/3 months)   |               |              |            | \$ 0.00    |                                  |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |               |              |            | \$ 1590.00 |                                  |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.   |               |              |            |            | 795.00                           |  |
| <b>SUBTOTAL =</b>   |               |              |            | \$ 795.00  |                                  |  |
| Processing fee of \$130.00, for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).  |               |              |            |            | 0.00                             |  |
| <b>TOTAL NATIONAL FEE =</b>   |               |              |            | \$ 795.00  |                                  |  |
| Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 per property  |               |              |            |            | 0.00                             |  |
| Fee for Petition to Revive Unintentionally Abandoned Application (\$1500.00 - Small Entity = \$750.00)  |               |              |            |            | 0.00                             |  |
| <b>TOTAL FEES ENCLOSED =</b>  |               |              |            | \$ 795.00  |                                  |  |
|   |               |              |            |            | Amount to be: refunded \$        |  |
|   |               |              |            |            | Charged \$                       |  |

a. ☐ A check in the amount of \$795.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 14-1140 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this form is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.

d. ☒ **CREDIT CARD PAYMENT FORM ATTACHED.**

e. ☒ The entire content of International Application No. **PCT/AU03/00735** and any U.S. and foreign application(s) corresponding thereto, and PS 2958, referred to in this application is/are hereby incorporated by reference in this application.

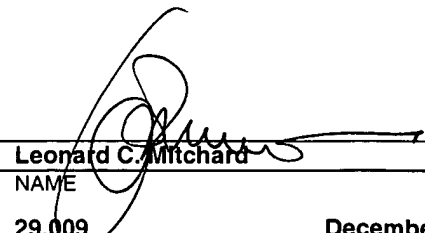
**NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**CORRESPONDENCE ADDRESS**  
**Direct all correspondence to:**

☒ **Customer Number:** **23117**

Type Customer Number here

Telephone: (703) 816-4000  
 LCM:lfm

  
**Leonard C. Mitchell**  
 NAME  
**29,009** **December 13, 2004**  
 REGISTRATION NUMBER Date